

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16815 of 2026

Arising Out of PS. Case No.-224 Year-2025 Thana- PANDAUL District- Madhubani

Gurudeo Yadav @ Nitish Yadav @ Nitish Kumar Son of Late Ram Kumar
Yadav R/o Village - Chhapradhi, P.S.- Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate
For the State : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Gagandeo Yadav, learned counsel for the
petitioner and Mr. Rajiv Nayan, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
06.11.2025, in connection with Pandaul P.S. Case No. 224 of
2025, F.I.R. dated 26.09.2025 registered for the offences
punishable under Sections 309(3) of the B.N.S., 2023.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named in
the F.I.R. and the name of the petitioner has been transpired on the
basis of confessional statement of co-accused person and
thereafter two looted mobiles was recovered from the house of the



petitioner. Learned counsel for the petitioner further submits that there is non compliance of Sections 103/105 of the B.N.S.S. and till date no TIP was conducted by the prosecution. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.11.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that on the basis of confessional statement of co-accused person the looted mobiles was recovered from the house of the petitioner and apart from aforesaid the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of two cases, the petitioner is on bail in one case and one case is pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case and the fact that there is non compliance of Sections 103/105 of the B.N.S.S. and till date no TIP was conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. Case No. 224 of 2025, subject to the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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